

DEC 13 2005

CLIFFORD M. DAVIDSON  
LESLIE H. DAVIDSON  
CARY S. KAPPEL  
WILLIAM C. GEHRIS  
MOREY R. WILDES  
ROBERT J. PARADISO  
ERIK R. SWANSON\*\*  
THOMAS P. CANTY\*\*  
FELIX L. D'ARUENZO

STEPHANIE HSIEH  
DAVE PETROFF

DAVID G. KNASIAK  
RICHARD V. ZANZALARI\*  
BENJAMIN S. DIMARCO  
MICHELLE I. BLAT  
ELIZABETH PIETROWSKI  
JAN M. DECKER  
OLIVER PLATZ



NEW YORK  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 SEVENTH AVENUE, 14TH FLOOR  
NEW YORK, NY 10018  
T. 212-736-1940  
F. 212-736-2427  
DDK@DDKPATENT.COM

FRANKFURT  
DAVIDSON, DAVIDSON & KAPPEL EUROPE, LLC  
ARNDTSTRASSE 11  
60325 FRANKFURT AM MAIN, GERMANY  
T. +49 (69) 788 088-0  
F. +49 (69) 788 088-29  
FRANKFURT@DDKPATENT.COM

\*ADMITTED IN NEW JERSEY ONLY  
\*\*DDK EUROPE

## FACSIMILE TRANSMITTAL

FROM: Thomas P. Canty

DATE: December 13, 2005

TO: Office of Initial Patent Examination's  
Filing Receipt Corrections  
Alexandria, VA 22313-1450

OUR REF: 5040.1004

NO. OF PAGES (including cover): 5

## PLEASE DELIVER THE FOLLOWING TO:

Recipient(s):

Fax Number:


+1 (571) 273 8300

RE.: U.S. PATENT APPLICATION NO.: 10/509,436

Dear Sir:

Attached please find our facsimile request dated December 13, 2005 for a corrected filing receipt. Please make the indicated corrections.

Sincerely,

  
Thomas P. Canty

**CONFIDENTIALITY NOTICE:** The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us.

IF THERE ARE ANY PROBLEMS WITH RECEPTION OF THIS FAX,  
PLEASE CALL OR FAX SENDER TO ADVISE. THANK YOU.

DEC 13 2005

[5040.1004]

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Peter-Michael MERBACH et al.  
Serial No.: 10/509,436  
Filed: 09/28/2004  
International  
Application No.: PCT/DE03/01174  
For: METHOD AND ARRANGEMENT FOR TOUCHLESS  
DETECTION OF DATA OF UNEVEN SURFACES

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Via Facsimile: +1-571-273-8300

December 13, 2005

Sir:

We have received a corrected filing receipt for the above-identified patent application. In section "Power of Attorney", all but myself of the patent practitioners associated with our Customer No. 23280 are not listed. As indicated on the enclosed copy in handwriting, please make the following corrections:

Under the heading "Power of Attorney", please delete "Thomas Canty-44586" and add:

**The patent practitioners associated with Customer Number 23280**

Applicants respectfully request that a corrected filing receipt be issued.

Thank you for your prompt attention to this matter.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Thomas P. Canty  
Registration No. 44,586

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736 1940  
Fax: +49-69-788-088-29

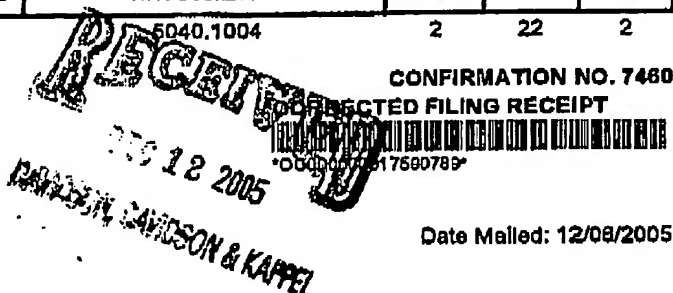


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (a) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/509,438	09/28/2004	2821	478	5040.1004	2	22	2

23280  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 SEVENTH AVENUE, 14TH FLOOR  
NEW YORK, NY 10018



CONFIRMATION NO. 7480

CORRECTED FILING RECEIPT



\*0000007 017590789\*

Date Mailed: 12/08/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Peter-Michael Merbach, Zella-Mehlis, GERMANY;  
Hans-Peter Nothhaft, Neu-Ulm, GERMANY;  
Rudolf Hauke, Niederstotzingen, GERMANY;

## Assignment For Published Patent Application

TBS Holding AG, Pfaffikon, SWITZERLAND

## Power of Attorney:

~~Thomas Canty 44588~~ The patent practitioners associated with Customer Number 23280

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DE03/01174 04/10/2003

## Foreign Applications

GERMANY 103 15 923.1 04/08/2003

If Required, Foreign Filing License Granted: 12/08/2005

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/509,436**

Projected Publication Date: Not Applicable

Non-Publication Request: No

*web/csk/mclop*

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

Method And Arrangement For Touchless Detection Of Data Of Uneven Surfaces

Preliminary Class

382

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).